

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No. S2-4:22-CR-229 JAR
DAVANTE LINDSEY,)
Defendant.)

UNITED STATES OF AMERICA'S SENTENCING MEMORANDUM

Comes now the United States of America, by and through its Attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Jennifer Szczucinski, Assistant United States Attorney for said District, and provides the Court with the following information in support of its request for a sentence of 144 months:

1. The Defendant is a founding member and a leader of the 55 Boyz, a St. Louis gang involved in fentanyl trafficking. Investigation revealed the 55 Boyz was created in 2019, after the Defendant was released from custody.¹ The 55 Boyz brought together people who had previously been members of or associated with multiple St. Louis gangs, including YPG, TKO (Team Knockout), The Strip, Pressure Gang, and CAVE. From 2019 to 2022, the 55 Boyz expanded their territory, controlling much of the fentanyl distribution on the southside of St. Louis City.

2. The Defendant is known as the “face” of the 55 Boyz, as he was a prolific rapper who gained success under the rap name “Jizzlebuckz.” Many of the Defendant’s songs and videos promote the 55 Boyz and discuss fentanyl distribution and other illegal activity.² However, in addition to being

¹ The Defendant was detained, pretrial, for 38 months on state charges; said charges were dismissed in August of 2019.

² See https://www.youtube.com/watch?v=_zSv-N2L6aw (“SPIN”); <https://www.youtube.com/watch?v=CMMH5hCAahQ>

“the face” of the 55Boyz via rap, the Defendant and co-defendant Andre Pearson coordinated large-scale fentanyl trafficking throughout the St. Louis area. On his social media accounts, the Defendant used his platform to boast of the money he made from fentanyl distribution, stating, “I pay a 50\$ bill for a million dollar phone.”



3. As he admitted at his guilty plea hearings on July 7, 2023, and May 31, 2024, the Defendant acquired fentanyl from various sources and directed multiple people to prepare, package, and distribute fentanyl to drug users. Docs. 485, 783. The Defendant operated cellular phones as part of the fentanyl distribution, sending “advertisement” text messages about fentanyl for sale and answering calls and text messages from drug users, directing them where to go to purchase fentanyl. *Id.*

(“FBI Intro”); <https://www.youtube.com/watch?v=GA7Eux5FM6s> (“Dior Runners”); <https://www.youtube.com/watch?v=SxgHpw2O4nA> (“Still Winning”).

2022/04/12 08:08:09 AM CD 314-688-3960	SMS Incoming	Hey guys it's J I'm back lol good morning we open 24/7 full and 🚑 lol I'm do deal this Friday again love you be safe
2022/04/14 10:19:30 PM CD 314-688-3960	SMS Incoming	Thanks everyone that been loyal to me and not going where eles ❤️ u guys rock tomorrow is FRIDAY FUNDAY spend over 300 get 30 free new flavor in all full and fire 🍔

4. The Defendant coordinated with co-defendants to ensure people were working at various locations to distribute fentanyl to drug users, ensured there were sufficient quantities of fentanyl to sell at each location, collected proceeds from fentanyl sales, and paid people involved in the conspiracy. *Id.* The Defendant also purchased property that was used to store and distribute fentanyl and made arrangements with drug users to permit members of the 55 Boyz to sell fentanyl out of the drug users' residences, in exchange for fentanyl and/or cash. *Id.* Law enforcement seized nineteen cellular phones from the Defendant, almost all of which were used for fentanyl distribution at various times. Doc. 783. Law enforcement identified multiple residences throughout the southside of St. Louis City and some residences in other areas of St. Louis City, from which the 55 Boyz distributed fentanyl. Docs. 485, 783.

5. While there is no way to determine how much fentanyl was distributed during the charged timeframe, law enforcement seized close to 280 grams of fentanyl during controlled purchases with undercover agents and during search warrants. *Id.* Additionally, law enforcement seized over \$85,000 cash the Defendant admits were proceeds from fentanyl distribution. Doc. 783. The Defendant also admitted to purchasing property and vehicles with nearly \$80,000 cash from fentanyl distribution. *Id.*

6. As a leader of the 55 Boyz, the Defendant also went to dangerous lengths to protect

himself and his fentanyl distribution operation. For example, law enforcement seized four firearms from the Defendant in a two-month period. Docs. 485, 783. Below are photographs seized from the Defendant's residence on April 28, 2022.



Additionally, within minutes of his arrival at the Jennings City Jail, the Defendant contacted co-conspirators to ensure the phone numbers associated with the phones seized by law enforcement were ported to new phones, guaranteeing continuity of fentanyl distribution operations. Doc. 783. The Defendant also contacted his uncle, co-defendant Willie Lindsey to identify who might be “snitching” on him and others in the 55 Boyz. *Id.* After identifying who they believed was “snitching,” the Defendant ordered Willie Lindsey to “kick they ass out.” *Id.* Less than two hours later, fellow 55 Boyz members Jamond Dismukes and Edward Hopkins went to a residence, armed with firearms, to confront those at the residence in an effort to hinder, delay, and prevent individuals from talking to law enforcement about the fentanyl distribution. *Id.*



7. The Government acknowledges the Defendant had a difficult upbringing, having been raised by his mother, who was only a teenager, and not having his father in his life. PSR at ¶ 95. The Government also acknowledges the Defendant's limited criminal history and that he has never served a term of incarceration in a prison facility. *Id.* at ¶¶ 88, 89. However, the nature and circumstances of the offenses to which the Defendant pled guilty and his significant role in those offenses, supports a sentence of 144 months.

WHEREFORE, the United States requests this Court to sentence the Defendant to 144 months imprisonment.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2024, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all attorneys of record.

/s/ Jennifer L. Szczucinski
Jennifer L. Szczucinski, #56906MO
Assistant United States Attorney